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Image

Docket No.: IT-273

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By: _____ Date: December 22, 2003

UNITED STATES IN THE PATENT AND TRADEMARK OFFICE

Applic. No.	:	09/894,675	Confirmation No: 6394
Applicant	:	Lutz Melchior et al.	
Filed	:	June 28, 2001	
Art Unit	:	2874	
Examiner	:	Kevin S. Wood	
Docket No.	:	IT-273	
Customer No.	:	24131	

LETTER

Hon. Commissioner for Patents

Sir:

Enclosed please find a copy of the English translation of the International Preliminary Examination Report for the above-identified application. Please enter it into the file.

Respectfully submitted,

_____
For Applicants

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Date: December 22, 2003

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/bmb

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference IT273WO	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/DE01/02077	International filing date (*day/month/year*) 23 May 2001 (23.05.01)	Priority date (*day/month/year*)
International Patent Classification (IPC) or national classification and IPC G02B 6/42		
Applicant INFINEON TECHNOLOGIES AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 8 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand	Date of completion of this report
09 December 2002 (09.12.02)	18 June 2003 (18.06.2003)
Name and mailing address of the IPEA/EP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/DE01/02077

I. Basis of the report

1. With regard to the **elements** of the international application:*

☐ the international application as originally filed

☒ the description:

pages 1, 2, 6-18, as originally filed

pages _____, filed with the demand

pages 3-5, 5a, filed with the letter of 12 May 2003 (12.05.2003)

☒ the claims:

pages _____, as originally filed

pages _____, as amended (together with any statement under Article 19

pages _____, filed with the demand

pages 1-19, filed with the letter of 12 May 2003 (12.05.2003)

☒ the drawings:

pages 1/9-9/9, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* *Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).*

** *Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.*

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	1-19	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations

1. D1: EP-A-0 844 503 (MATSUSHITA ELECTRIC IND CO LTD) 27 May 1998 (1998-05-27)
D2: US-A-4 776 660 (MAHLEIN HANS F ET AL) 11 October 1988 (1988-10-11)
D3: US-A-5 841 562 (RANGWALA SABBIR S ET AL) 24 November 1998 (1998-11-24)

2. Each of documents D1 to D3 discloses the preamble of Claim 1.

2.1 D1 discloses an electro-optical module (see abstract) for receiving at least two signals which are guided in an optical waveguide 2 (see, for example, Figures 5, 14, 16 and 19 and associated text), the module comprising a transmission component or a receiving element 13, 14 that receives the decoupled light.

The optical waveguide contains at least two sections (see sections between components 11, 12 or each adjoining said components), each having a chamfered end face, the end faces being arranged axially one behind the other.

In order to decouple or couple the light, light from a data channel is guided onto the end face and then emerges at an angle.

2.2 D2 discloses an electro-optical module (see abstract, column 7, line 11, to column 8, line 50) for receiving at least two signals which are guided in an optical waveguide 1 (see, for example, Figure 1 and the associated text), the module comprising a transmission component S or a receiving component E that receives the decoupled light.

The optical waveguide contains at least two sections (see figure), each having a chamfered end face, the end faces being arranged axially one behind the other. In order to decouple or couple the light, light from a data channel is guided onto the end face and then emerges at an angle.

2.3 D3 discloses an electro-optical module (see abstract) for receiving at least two signals which are guided in an optical waveguide 60 (see, for example, Figures 2 and 4 and the associated text), the module comprising a transmission component or a receiving element 21, 25 that receives the decoupled light.

The optical waveguide contains at least two sections (see sections each adjoining the components 50), each having a chamfered end face, the end faces being arranged axially one behind the other.

In order to decouple or couple the light, light from a data channel is guided onto the end face and then

emerges at an angle.

3. None of documents D1 to D3 refers to a transparent ferrule which holds the optical waveguide.

Although D1 discloses (see Figure 15) the fact that the individual optical waveguide sections are held in a transparent mounting 101, this is a transparent flat substrate, not a ferrule.

The known constructions with ferrules are designed for a coupling or decoupling point with deflection, the ferrules having recesses enabling transmission to occur. Therefore the use of a transparent ferrule is not rendered obvious.

[N.B.: The use of an assembly tube as per Claim 8 does not appear to be suggested by the prior art; this also applies to its use in conjunction with other assembly housings (Claims 13 to 15).]